

deal with there deal with people who are sick and injured and need help.

We are going to cut back on that research. That is wrong.

The time has come, Mr. President, to live up to promises made during the balanced budget debate. For example, to protect Social Security. The Republicans claim that under their budget they will protect Social Security. Social Security, however, will face its greatest threat under this budget in 2002 when this budget supposedly will balance. Because Social Security surpluses are being scored against the deficit, this budget will collateralize the Social Security trust fund. Black's Law Dictionary defines collateral as "property which is pledged as security for the satisfaction of a debt." In this budget proposal, the definition of collateral is Social Security.

I think we have to live up to the responsibilities that we have. I repeat, we have to do a better job of balancing the budget. This will be the third year in a row that the budget will be lower than the year before, the first time in 50 years. Certainly, we have to do much better than we have done. We have reduced, in the last 2 years, Federal employment by 150,000 people. I think that is significant. We have had the highest economic growth in some 40 years. That is important. We certainly have not done enough. The economy needs a lot of help. The one thing we could do that would help more than any other thing would be to reduce the deficit, but we cannot do it with tax cuts. We cannot do it with cutting educational benefits.

We have to look at the big items. What are the big items? They are interest on the debt, medical expenses, and, of course, we have to look at defense. We cannot leave that because 20 percent of every dollar we spend goes for defense.

I thank the Senator from Rhode Island, the chairman of my committee, for his allowing me to go out of order in morning business.

I yield the floor.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The pending question before the Senate is the substitute amendment reported by the Committee on Environment and Public Works to S. 534.

Is there further debate on the bill?

The Senator from Rhode Island is recognized.

Mr. CHAFEE. Mr. President, this is the Graham amendment?

The PRESIDING OFFICER. What is before the Senate is the committee-reported substitute at this point.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. I thank the Chair.

AMENDMENT NO. 752

(Purpose: To revise the provision relating to State-mandated disposal services)

AMENDMENT NO. 753

(Purpose: To provide that a law providing for State-mandated disposal services shall be considered to be a reasonable regulation of commerce)

Mr. GRAHAM. Mr. President, I send to the desk two amendments and ask for their immediate consideration.

The PRESIDING OFFICER. Does the Senator wish these amendments to be considered en bloc?

Mr. GRAHAM. The Senator requests that they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes en bloc amendments numbered 752 and 753.

Mr. GRAHAM. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 752

On page 63, strike line 4 and all that follows through page 64, line 2, and insert the following:

"(e) STATE-MANDATED DISPOSAL SERVICES.—A political subdivision of a State may exercise flow control authority for municipal solid waste and for recyclable material voluntarily relinquished by the owner or generator of the material that is generated within its jurisdiction if, prior to May 15, 1994, the political subdivision—

"(1) was responsible under State law for providing for the operation of solid waste facilities to serve the disposal needs of all incorporated and unincorporated areas of the county;

"(2) is required to initiate a recyclable materials recycling program in order to meet a municipal solid waste reduction goal of at least 30 percent;

"(3) has been authorized by State statute to exercise flow control authority and had implemented the authority through the adoption or execution of a law, ordinance, regulation, contract, or other legally binding provision; and

"(4) had incurred, or caused a public service authority to incur, significant financial expenditures to comply with State law and to repay outstanding bonds that were issued specifically for the construction of solid waste management facilities to which the political subdivision's waste is to be delivered.

"(5) the authority under this subsection shall be exercised in accordance with Section 401z(b)(4).

AMENDMENT NO. 753

On page 65, line 10, strike "or (d)" and insert "(d), or (e)".

On page 65, line 3, strike "or (d)" and insert "(d), or (e)".

Mr. GRAHAM. Mr. President, these two amendments represent technical refinements to a provision of the bill which appears on pages 63 through 65, which I understand have been agreed to by both sides of the aisle, and I ask for their immediate consideration.

Mr. CHAFEE. Mr. President, indeed, they have been agreed to by this side of

the aisle, and we are prepared to accept them.

The PRESIDING OFFICER. Is there further debate on the amendments Nos. 752 and 753? Is there objection to the amendments? If not, the amendments are agreed to.

So the amendments (Nos. 752 and 753) were agreed to.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, I wish to express my appreciation to Senator CHAFEE, who, in his usual gracious manner, has been so helpful in working through these two technical amendments as well as having assisted the committee in bringing to the floor this important piece of legislation.

I would also like to commend the chair of the subcommittee with specific responsibility, Senator SMITH of New Hampshire, and the ranking minority member, Senator BAUCUS, and Senator LAUTENBERG for their courtesies in the development of these amendments and other provisions in the legislation. I would like to take this opportunity to make a few remarks on the general subject of title II of this legislation which is the provision relating to flow control.

Mr. CHAFEE. I wonder if the Senator, before he gets into that, would like to move to reconsider the vote by which the amendments were agreed to.

Mr. GRAHAM. In further thoughtfulness on the part of the Senator, I move to reconsider the votes by which the two amendments were agreed to en bloc.

Mr. CHAFEE. I move to table that motion.

The motion to lay on the table was agreed to.

Mr. GRAHAM. I thank you, Mr. President, and I thank Senator CHAFEE.

This legislation in title II, which is the title to which my remarks will be directed, raises again the fundamental question that this Federal Government has dealt with throughout its history, and that is the appropriate role of the State government and the National Government. In this case, it raises, in stark relief, the question of who should decide an issue as basic to our public welfare as the disposition of garbage.

I start from a general presumption that that level of government which is closest to the people who will be affected by the action should be able to control the action and therefore I have a general predisposition toward local and State government having responsibility and control. In this case, that predisposition also happens to be in the historical responsibility of local government for the control of their solid waste and its disposition.

Let me turn to a little background of how we got to the legislation that is before us today. I will use for purposes of my examples primarily illustrations from my State of Florida but I believe that similar examples could be drawn from any of the other some 35 States

which have adopted a flow control process to direct their solid waste.

In the case of my State, this involvement was largely driven by environmental and particularly water-related concerns and the impact that those proper considerations of environmental circumstances would have on the public health. I was concerned in reading the report of the committee that the statement is made that the principal issue relative to flow control is economics. In my judgment, while economics are certainly concerns, the statement made on page 6 that "The primary factor driving the imposition of flow control ordinances is economics" confuses the ends with the means. The economics are a means of achieving the end.

In the case of my State, the end was to have appropriate sites that would protect the environment and protect public health. My State is one which is growing rapidly. We are adding some 300,000 people every year, having just crossed the 14 million size. Eighty percent of the population of the State of Florida lives in the coastal zone, basically a thin strip of land over pools of water. We depend upon that subsurface water for all of our purposes—human consumption, economic purposes, agriculture—for this large and growing population and the economy which supports that population.

A number of years ago, it was recognized that if we continued to grow at this rapid rate and continued to dispose of our solid waste in the traditional pattern that we were going to endanger our underground water supply. And, therefore, the State passed a comprehensive solid waste management law approximately a decade ago, a law that I am proud to say has been described as one of the most progressive in the Nation and has been a model for other States. That solid waste management law gave a great deal of responsibility to local government, particularly counties, to implement solid waste disposal programs. The goal was to remove a substantial amount of solid waste from landfills and into other disposal methods or into landfills that met a very high standard of environmental protection.

The authority to implement flow control already existed in Florida and thus counties used it as a tool to develop a integrated solid waste management plan that was in compliance with the State law and that addressed the threat of ground water contamination from the more traditional, less protected landfills.

It was in this context, Mr. President, that 2 years ago the U.S. Supreme Court issued an opinion, called the Carbone opinion, which essentially stated that States were without the authority to grant flow control power to their local governments, because the use of that flow control could constitute a restraint on interstate commerce.

That came as a surprise to many who felt that there were few items that were as indigenously local as the direction of garbage. The Supreme Court reached that conclusion, but went on to provide that it was now the responsibility of Congress to set whatever standards it felt appropriate in order to authorize local governments to continue exercising their flow control authority.

If I could quote from the concurring opinion of Justice O'Connor who, in joining the majority in the Carbone opinion stated that, "It is within Congress' power to authorize local imposition of flow control. Should Congress revisit this area, and enact legislation providing a clear indication that it intends States and localities to implement flow control, we will, of course, defer to that legislative judgment."

So what we have before us today is the legislative judgment carrying out that empowerment by the U.S. Supreme Court. I am concerned that the judgment that is represented in title II of this bill is a narrow judgment. It is a judgment which essentially says that as the first proposition local governments are denied the authority to engage in flow control; that is the ability to direct their solid waste.

As a second point, it provides that those communities which have already engaged in flow control prior to the date of the Supreme Court opinion, or prior to the date of May 15, 1994, which was the date upon which this initial version of legislation was first proposed, that those communities would be allowed to continue to exercise flow control for the period of time that was required for that community to meet its financial responsibility but in no cases longer than 30 years after the passage of this legislation. The implication of that is that no community which was not engaged in flow control prior to May 15, 1994, would be sanctioned to do so and those communities which were so engaged but which met their financial obligations, such as paying off the bonds that were necessary to construct a modern landfill or a solid waste recycling plant or an incinerator, that once those financial obligations were met they would lose their authority to exercise flow control and no community, regardless of circumstance, would have flow control authority for more than 30 years.

I am deeply concerned about the philosophy that says that the Federal Government is going to assume that degree of policy control offer an activity which has been so historically local and which, by all of its characteristics, should continue to be local.

Mr. CHAFEE. I wonder if I could present the counterargument to the Senator's proposal. The Senator is saying that it goes against his grain and his philosophical belief that a local community cannot impose so-called flow control; a local community cannot say: We are going to build an incinerator. We are going to bond it with reve-

nue bonds, with the revenue coming from the requirement that, for everybody in this community and every business, all trash must go to this central facility. And the reason we, the town, say that, or the city says that, is because we have to pay off the bonds to pay for the facility.

And the Senator finds it disturbing, and understandably so, that in this legislation we are saying, "No, you cannot do that anymore. Oh, yes, you can do it if you have some bonds outstanding."

Let us say the bonds have 18 years to go and that is the expected life of the facility. But beyond that, no, you cannot have this proposal. It is a little bit like, I suppose the Senator would say, Big Brother saying to the town of Lakeland, or whatever it is in Florida, whatever the town might be, "You can't do that."

Here is the other side of the argument. The other side of the argument says the Constitution of the United States as interpreted by our courts says you cannot do this to start with; that no way can you be able to issue these requirements that everybody in this local community must go to point A to dump the trash. You cannot have some local hauler come in and take it anyplace—to take it to Rhode Island, take it to Texas, take it someplace else, no. The Supreme Court of the United States says that it is unconstitutional to have restrictions that we provide for in this legislation.

I look at it another way. Instead of saying it is difficult to comprehend why Big Brother should step in and say why you cannot have flow control or you can only have it for a limited period, instead the Congress of the United States is saying, "Despite the fact that flow control is against the Constitution of the United States because it interferes with interstate commerce, we are still going to let you have it in order to pay off your bonds."

So I look on it more as the Congress giving rather than the Congress taking it away.

Mr. GRAHAM. Mr. President, I think, respectfully, that is not a proper reading of what the Supreme Court said in the Carbone case. I will just refer you to page 8 of the committee report which quotes the language of Justice O'Connor in which she states quite unequivocally:

It is within Congress' power to authorize local imposition of flow control.

Mr. CHAFEE. That is right.

Mr. GRAHAM. Mr. President, I continue the quote:

Should Congress revisit this area and enact legislation, providing a clear indication that it intends States and localities to implement flow control, we will, of course, defer to that legislative judgment.

So we have a range of judgments that we can make, including that it is appropriate for State and local governments to continue to implement flow control, those communities which had done it in the past and those which might like to do it in the future and

those which have done it in the past which have paid off indebtedness and wish to continue to utilize it. It is within our power to place the decision-making as to whether to use flow control or not in the hands of literally tens of thousands of local government officials, as opposed to centralizing that decision in Washington, with the judgment that is contained in title II of this legislation, which essentially is: Thou shalt not engage in flow control unless you were doing it before May 1994 and, even then, only for the period necessary to pay off your indebtedness and, in no case, more than 30 years from now.

Mr. CHAFEE. I dispute the Senator's characterization of the Congress or the Senate saying thou shalt not engage in flow control. It is not us that is saying that. The Supreme Court has said, "You can't do it. And, indeed, if you try and do it, you are violating the Constitution."

But the Supreme Court goes on to say, "But if you, the Congress, want to give them that power, then you have the ability to do so."

I do not think it is us imposing a "thou shalt not" on them. In effect, we are coming to their rescue. It is true, we could be a broader rescue mission than we are currently on. The Senator aptly has pointed out, all we are doing is limiting our rescue mission; all we are saying is we will rescue those towns that have already made the commitment. They had imposed flow control saying everything had to go to this central landfill or central incinerator, and we are saying you can keep it up because you issued bonds thinking the law was the way it was, you did it fairly, and along comes the Supreme Court which says it is against the Constitution. OK, we will come and help you out.

That is what we are doing. We are not doing it, as the Senator is aptly saying, in perpetuity. We are not saying whatever you want to do in the towns is OK. We are limiting it.

But it is not us who said no to them to start with.

Mr. GRAHAM. Mr. President, I say to my friend and colleague, the Supreme Court has clearly stated, as it does in many of these instances, that activities which are violative of the interstate commerce clause can be made constitutionally acceptable if Congress sets the standards and clearly grants the conditions for that authority.

Mr. CHAFEE. Absolutely.

Mr. GRAHAM. Justice O'Connor has stated it quite explicitly that we have that authority, and I am suggesting that prudence would lead us to a position that would say, let us exercise the authority that the Supreme Court has held that we can possess under the Constitution in a way that decentralizes decisionmaking, that lets local communities, with locally elected officials, take into account their local conditions.

For instance, we are about to say to one of the fastest growing communities in my State, Volusia County, which contains cities such as Daytona Beach and Ormond Beach and DeLand—a very rapidly growing area—that they cannot engage in flow control as a means of managing their solid waste in such a way as to give maximum protection to their vulnerable underground water supply.

I do not know why we in Washington feel that we know more about the sensibilities, the economics, the values, the environment, the public health threat of the people in Volusia County than their locally elected officials. What purpose are we serving by being so narrow in our willingness to offer—my State just a few years ago was one of the smallest States in the Union. In fact, we are celebrating our 150th anniversary of statehood. When we came into the Nation in the year 1845, we had only slightly more than 40,000 people. One hundred fifty years later, we have 14 million people. Twenty years from now we will have 19 million people. They are occupying the same piece of property with the same environmental circumstances.

Many communities, about 15 to 20 in my State, have said, "We need to do a better job of protecting our water supply and inappropriate landfills." Here is what we are going to do for the citizens of my community with the support of the citizens of my community through their elected representatives to do so. We are now about to say that everybody who did not get on to that train, authorized flow control prior to May 1994, are going to be forever shut off.

I do not understand what public purpose we are advancing by denying them the right to do so.

Mr. CHAFEE. I do not want to quibble over language, but it is not us saying you are forever shut off. If we did nothing, you could be shut off, if we did not pass a piece of legislation here. What Florida is doing now, plus those who want to do it, they would be shut off. I guess I am just trying to see where is the nonaction—if we did no action, nothing would happen, you would not have flow control.

Mr. GRAHAM. I am going to describe in a moment the dilemma that a person like myself is in, because there clearly is an urgency to act for those 15 to 20 communities which had formed an alliance using flow control and committed themselves to these major environmentally and public health protecting measures. But it wounds and offends me that in the same action where we are protecting the past, we are unnecessarily closing off the future for those communities which today, and certainly in a few years, will be exactly like those that have taken advantage of flow control in order to develop these more environmentally and public health protecting measures.

Mr. CHAFEE. Well, the Senator has a good point. The other side of the coin

is that once you permit this, you are permitting communities to set up and operate. That may be all well and good. But BFI, or Waste Haulers, or whoever it is, cannot come in there and offer better, cheaper service, and some citizen in that community is being deprived of choice.

Mr. GRAHAM. You are taking the position that we here in Washington have to be the "big brother" to protect 260 million Americans. I do not think that the county commissioners of Broward County, FL, or the city council of Providence, RI, are insensitive to the desires of their citizens. They are the ones who wake up every morning in that community. They are the ones who daily deal with these issues which are, in many cases, difficult balancing questions. Yes, you could have cheaper garbage rates in Broward County if everybody just hauled it to the local hole in the ground and dumped it. But you would also be putting your water supply at risk. And so the commissioners of that community made a judgment that they were prepared to ask their citizens to pay higher garbage fees in order to be able to dispose of their solid waste in a more environmentally appropriate manner. Why should they not be making that decision as opposed to our telling them it is a decision that will be unavailable to them?

Mr. CHAFEE. I think this. First, I am not willing to concede that in Broward or Dade County, or wherever it might be, inevitably, if you do not have flow control, your waste is going to end up in an environmentally damaging situation. That does not necessarily follow. We have all kinds of laws on the books dealing with the handling of waste in this country. And if some other outfit comes in—Waste Management, or whoever it is—and hauls it, they cannot just take it and dump it in some lovely field above a ground water area. They have to dispose of it in a proper way.

But the whole root of what we are dealing with is the commerce clause of the Constitution of the United States, which says that there should be free interstate transportation and movement in our Nation. That has served us pretty well. You might say, "How petty can you get? Why should Miami, or wherever, not be permitted to handle their waste, and if everybody has to take it to one place, and that is the only place, that is the way we want to run our business?" But the Supreme Court has said that is against the Constitution. I know we can fix it up, and the Supreme Court, as you pointed out, has also said we can straighten it out. So far, we have chosen not to take that extra step.

Mr. GRAHAM. So we are here, Mr. President, making an important political judgment. We have the range of authority to deny totally flow control authority to anybody, including those

communities which have already utilized it and, in reliance upon it, committed themselves to significant financial obligations. That is an alternative that is available to us.

At the other end of the spectrum, we have the authority to grant a very broad license to local governments and States to utilize flow control.

What we have chosen to do—and I underscore the word “chosen”—we have selected among options what I will call a targeted grandfather approach, in which we have said that for those who were in business as of May 1994, and a rather tight definition of what you had to be doing in May 1994, all of which is outlined on pages 56 through 58 of the legislation, for a specific duration of time, you shall have authority to use flow control. Everybody else you excluded.

Let me, if I could, complete some examples that would give some context as to this theory of who should decide as to the range of local authority. I mentioned earlier a case of Volusia County, Deland, and the largest city, which is Daytona Beach, a fast-growing area in east central Florida. The county currently does not have flow control. The county was wise a number of years ago when it was able to purchase a large piece of land at a low price and has been, in part because of that, extremely successful in keeping its tipping fees—that is the charges to use the landfill—at a low rate, the lowest in the State, and still provide for an integrated solid waste management system.

At this point, they are not facing any particular competition and, therefore, the county has not had a need for flow control. But the director of solid waste in Volusia County is concerned about the future. The director recognizes that he may not be able to effectively address the public safety issues in our State—the threat of ground water contamination—without the ability to control the waste stream, should a private facility decide to open a facility in the area that undercuts the counties' tipping fees.

In addition, the director of solid waste is concerned about the ability of the county to float bonds in the future when it needs to expand its current facilities. Flow control authority would enable the county to have a stronger bond rating. Therefore, the absence of prospective flow control is a serious concern to this rapidly expanding county in Florida.

The dilemma that I mentioned to Senator CHAFEE that many of us feel is that we recognize the sense of urgency to pass legislation that reempowers those communities which had been using flow control and which had relied upon it. We all agree that we must act quickly to address the financial crisis that those communities are facing now.

Again, I use an example in Florida of Dade County. Dade County a number of years ago, utilizing the State authority

for flow control in order to carry out its responsibilities for an integrated solid waste system, set up a series of modern landfills and incinerators. Since the Supreme Court action, which has undercut its ability to use flow control to assure that there was a sufficient amount of solid waste going to these facilities in order to generate enough revenue to pay for the cost of operation, maintenance, and debt service on those facilities, the county has been losing 45 percent of its waste, which equates to \$53 to \$68 million a year in revenue. Moody's Investors Service has recently downgraded Dade County's solid waste revenue bond from an “A” to “Baa1.” Moody's specifically stated that the significant diversion of waste to out-of-county facilities undermined the current rate structure and that the lack of a long-term strategy jeopardizes the system's continued ability to meet financial obligations.

The county is also faced with an inability to plan for future capacity and to ensure that recycling goals will be met in the future, that is, future planning has been eliminated due to the severity of the current fiscal crisis.

Half of the bulk waste recycling centers in Dade County have now been closed. These centers used to accept old furniture, appliances, tires, and other materials that could be recycled rather than placed in a landfill.

Dade County had extensive school education programs encouraging young people to become involved in appropriate activities for the disposal of solid waste, especially directed at recycling. Those school programs had to be eliminated because of the financial crisis.

Dade County had an active mulching program which has been dramatically scaled back now to a bare minimum. This program in the past provided mulching services to residents who brought yard waste and tree branches, and the mulch was distributed to homeowners and farmers. Now it goes directly to a landfill so that the county can come closer to meeting its waste level requirements.

Elimination of innovative recycling programs has also been a consequence of this financial crisis. Phone books, high-grade trash, tires, and destruction and demolition debris which used to be recycled are now headed for the landfill.

The clean organic waste composting programs are in jeopardy, due to insufficient waste to implement the plan beyond a demonstration phase.

Those are some of the urgent consequences of the Supreme Court's action for a community which had adopted flow control, and based upon flow control, an integrated solid waste management program. They had incurred very substantial, in the case of Dade County, over \$100 million of indebtedness in order to pay for all those facilities.

It is because of communities such as that across America that there is an urgency to pass legislation that will provide for reempowering of those communities to utilize flow control and regain control of an important segment of a traditional local government responsibility.

Mr. President, I am concerned that there is a bleak outlook for communities in the future. There are many other communities which are going to want to do what counties like Dade have already done. That is, utilize flow control.

The ability of the local government to direct where its trash will be stored, as unromantic a function as government could engage in, but an important function which touches the lives of every citizen in the community; to allow the people who are elected in that community to make the judgment as to what is most appropriate to meet the variety of needs in that community.

As I mentioned earlier, when my State came in the Union 150 years ago, it was the smallest, the poorest, and the most remote State in the Union, with a population of slightly more than 40,000. Today it has a population of over 14 million. Twenty years from now, at current growth rates, it will have a population nearing 20 million from its current 14 million.

Are we to assume there will not be a similar set of concerns about protecting our ground water supplies, protecting public health 20 years from now, as there was when these communities that today are engaging in flow control adopted their plans? Clearly, the answer to that is no, there will be a similar need for this type of local control of where trash is disposed of in order to meet local environmental and public health circumstances.

I believe strongly that these decisions should be made at the local level by those elected officials who are closest to the situation. This is not a conflict between government control and free market. In fact, in my State, most of the actual work of solid waste management is done by private firms.

As an example in Hillsborough County, the county seat of which is Tampa, waste energy facility is operated by Ogden-Martin; landfill by Waste Management; BFI operates a majority of the residential recycling program. A wonderful example of a public-private partnership. In Lake County in the center of the State, the waste energy facility is also operated by Ogden-Martin, and the county has franchise agreements to haul solid waste with three different private companies.

This is not an issue of the free market versus government control. It is an example of local communities, through locally-elected representatives, taking control of the responsibility for their destiny, particularly protecting one of the most critical resources of that community, its ground water.

Mr. President, I believe that it is urgent that we pass legislation on this subject. I would hope that before we complete our deliberations that we would think seriously about the restraints that we are imposing—I think, unnecessarily—that we would think about the degree to which we are Federalizing what has been a traditional local responsibility, the decision of where to dispose of garbage.

We are going to continue to be engaged as we have over the past several weeks in some fundamental questions of what level of government should decide important public issues and whether those decisions should be made one time here in Washington or should be made 50, or 500, or 5,000 times at State and local levels.

Earlier today, we passed legislation that changed over two centuries of American law relative to product liability. For two centuries that responsibility was placed at the State level. States had the responsibility to understand their own history, culture, politics, economics, and they make a judgment as to how these matters of civil justice should be resolved.

Colorado is a different State than Florida. South Carolina is a different State than South Dakota. I believe in the proposition that the citizens of those individual States should make judgments as to what is appropriate for them today and in the future.

I strongly feel that that is also true of the issue of how to protect natural resources, and how the disposition of solid waste affects the protection of those resources. The situation is different from a relatively arid State in the West than it is in a subtropical environment in my State of Florida. The situation is different in the State with the peaks of Colorado, from the State that is relatively close to its water supply as we are with our high underground surface water in Florida.

I believe that prudent policy for the future should be as it has been in the past. That it is a responsibility of locally-elected officials who are accountable to the people that elect them, to make a judgment as to what is in the best interest. They would have the same range of choices that we would have, but they would be making it based on their understanding of the specific circumstances in their community.

I think that is intelligent federalism which we should apply to this issue of solid waste disposal in the future, as we have in the past. That it is not appropriate for Congress to make a decision here today that two centuries of American tradition will be overturned, and now we are going to federalize into a single decision here in Washington for all of our States and all of our local communities one answer to the question, of how they can dispose of their garbage.

Mr. President, I think the American people feel we have a lot of important things to be dealing with here in Wash-

ington. Clearly, one of those is going to be how to bring the Federal budget into balance.

I would suggest that that is a demanding enough responsibility for Senators to make. We do not have much time left over to decide how Quincy or Greeley will dispose of their garbage. We ought to let the people in Greeley, CO, and Quincy, FL, decide how to dispose of their garbage and put our attention to what the public expects Congress to do—how are we going to balance our budget.

If we allocate responsibilities in that way, I think both the citizens of Greeley, the citizens of Quincy, and the citizens of America, would feel as if we were doing the jobs that they expected the Senate to do, and how we were graded on how well we balanced the budget, would hold Senators to account and how well the county and city commissioners of Greeley and Quincy did their job would be the basis upon which they would be held accountable by their vote.

Mr. President, in conclusion, I appreciate the fact that my friend and colleague, the junior Senator from Rhode Island and the chairman of the Environment and Public Works Committee, accepted the amendments which I offered earlier. I hope that during this process we will give serious attention to the question of, do we really want to federalize the issue of disposal of local garbage? Or would we not be more prudent to accept the invitation of the Supreme Court to allow this to continue to be a responsibility of properly elected State and local officials?

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I ask unanimous consent that I be permitted to speak as this morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S TRIP TO RUSSIA

Mr. DASCHLE. Mr. President, earlier today Senator MCCONNELL suggested on the Senate floor that the President's trip to Moscow has been a wasted effort—that there has not been a shred of progress made there. I do not want anyone who may have been listening to that statement to be misled by it, for, in my view, it simply is not accurate. It is important to review the reasons President Clinton went to Moscow and to assess his trip to Moscow—which is not yet over—with those goals in mind.

The President went to Moscow to honor the sacrifices of the Russian people to defeat the Nazis and fascism in

World War II. Russians lost approximately 20 million people in that war—more than any other Nation. With the end of the cold war, this is the United States first opportunity to convey our appreciation. Our policy's to seek better relations not only with the Russian Government, but with the Russian people as well to help democracy take root there.

The President also went to Moscow to pursue discussion on key issues. The United States expectations were low, and our progress has exceeded those expectations. Among the accomplishments so far—and I emphasize that the trip continues tomorrow—are:

First, with respect to European Security, the Russians agreed to implement two Partnership for Peace agreements that are important to realize our goal of a comprehensive system of security in Europe.

Second, on the issue of theater missile defenses. The Russians agreed to a Statement of Principles that preserves the ABM Treaty and enables us to proceed with deployment of theater missile defense systems.

Third, the Russians agreed not to provide a gas centrifuge enrichment facility to Iran and to continue to review and discuss the proposed sale of light-water reactors. That review will be through a special group created at the March ministerial meeting of Secretary Christopher and Foreign Minister Kozyrev.

Fourth, President Clinton secured an agreement with respect to nuclear materials to enable both countries to cooperate to ensure the safe storage of nuclear weapons and nuclear weapons materials.

Finally, agreement was reached on a statement to guide economic relations between the two countries that is important to our efforts to keep the Russian economic reforms on track.

So, in my view, a substantial degree of progress has been made with regard to Iran, with regard to the ABM Treaty, with regard to a number of issues relating to European security. And, as I indicated, the trip continues.

That list of substantive accomplishments is impressive; to expect more from one trip is, frankly, unrealistic.

Overall, the progress is indicative of the continuing interest of both countries to cooperate where we can and manage our differences constructively.

We should not judge this relationship or this meeting against an arbitrary scorecard, and we must not forget that this is not the old Soviet Union. This is a process to develop our relationship with the new Russia—again, not just its government, but also its people; to build on the potential that resides within that relationship that must be rooted in democracy and a mature and balanced dialog.

It is an important relationship, and the President is wise to invest in it. I applaud his efforts, and the fact that he has accomplished as much as he has in the last 2 days.